HOUSE BILL NO. 664

AN ACT TO AMEND SECTIONS 51-15-129 AND 51-15-137, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD OF FUNDING FOR THE PAT HARRISON WATERWAY DISTRICT AS IT RELATES TO THE CONTRIBUTIONS FROM CERTAIN MEMBER COUNTIES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 51-15-129, Mississippi Code of 1972, is amended as follows:

51-15-129. From and after October 1, 1996, in each county of the State of Mississippi which is a part of the Pat Harrison Waterway District, so long as funds are found to be necessary for the operation of the district by annual legislative approval of the district budget, the tax collector of such county shall pay into the depository selected by the water district for such purpose an amount to be determined as follows: each county shall pay a pro rata share (not to exceed the avails of one (1) mill through September 30, 1997, and not to exceed three-fourths (3/4) mill thereafter) of the annual district budget (excluding the amount necessary for debt service) based on the proportion that the most recent total assessed valuation of the county bears to the most recent aggregate total assessed valuation of all the counties which comprise the district; provided, however, that any county bordering on the Gulf of Mexico which by action of the board of supervisors has created and authorized a port authority and which has been paying into the port authority the avails of a two-mill levy that was established under Section 27-39-3 shall pay an amount not to exceed one-tenth (1/10) mill through September 30, 2003, and not to exceed two-tenths (2/10) mill thereafter, of the total assessed valuation of the county to the Pat Harrison
Waterway District pursuant to this section and the assessed valuation of that county shall not be considered when calculating each county's pro rata share of the district's budget. It shall be the duty of the Pat Harrison Waterway District Board of Directors in the month of July annually upon receipt of the total assessed valuation of the member counties, certified by the Mississippi State Tax Commission, to prepare a request to the board of supervisors of member counties to levy a tax using the formula herein established not to exceed one (1) mill through September 30, 1997, and not to exceed three-fourths (3/4) mill thereafter.

**SECTION 2.** Section 51-15-137, Mississippi Code of 1972, is amended as follows:

51-15-137. From and after October 1, 1996, the board of supervisors of each county that is a member of the Pat Harrison Waterway District on January 1, 1996, shall pay to the district depository a sum not more than is necessary to defray the annual principal and interest due on outstanding indebtedness of the district, not to exceed an amount equal to the avails of one-fourth (1/4) mill of the total assessed valuation of the member county; provided, however, that any county bordering on the Gulf of Mexico which by action of the board of supervisors has created and authorized a port authority and which has been paying into the port authority the avails of a two-mill levy that was established under Section 27-39-3 shall pay to the district depository from and after October 1, 1996, an amount not to exceed two-tenths (2/10) mill through September 30, 2003, and not to exceed one-tenth (1/10) mill thereafter, of the total assessed valuation of the county. The district depository shall place such payments into a special sinking fund out of which monies shall be expended solely to retire bonds and any other indebtedness incurred under this article. Such payments shall be continued as long as there remains unpaid and outstanding any bonded
indebtedness created by the district board as hereinafter provided. Any such board of supervisors shall provide the sum herein required either by appropriation from any available funds of the county or by levy.

SECTION 3. This act shall take effect and be in force from and after July 1, 2003.